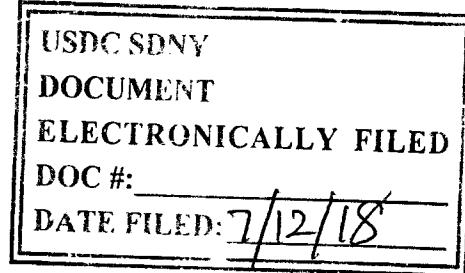


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
TWIN SECURITIES, INC., et al., : ORDER DENYING
Plaintiffs, : PLAINTIFFS' MOTION
-against- : FOR PARTIAL SUMMARY
: JUDGMENT
: :
AMERICAN REALTY CAPITAL PROPERTIES, : 15 Civ. 1291 (AKH)
et al., :
Defendants. :
: :
----- x
HG VORA SPECIAL OPPORTUNITIES :
MASTER FUND, LTD., :
Plaintiffs, :
-against- : 15 Civ. 4107 (AKH)
: :
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
Defendants. :
----- x
BLACKROCK ACS US EQUITY TRACKER :
FUND, et al., :
Plaintiffs, :
-against- : 15 Civ. 8464 (AKH)
: :
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
Defendants. :
----- x



PIMCO FUNDS: PIMCO DIVERSIFIED
INCOME FUND, et al., :
Plaintiffs, :
-against- : 15 Civ. 8466 (AKH)
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
Defendants. :
CLEARLINE CAPITAL PARTNERS LP, et al., x :
Plaintiffs, :
-against- : 15 Civ. 8467 (AKH)
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
Defendants. :
PENTWATER EQUITY OPPORTUNITIES
MASTER FUND LTD, et al., x :
Plaintiffs, :
-against- : 15 Civ. 8510 (AKH)
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
Defendants. :
----- x

ETON PARK FUND, L.P. and ETON PARK
MASTER FUND, LTD,

Plaintiffs, : 16 Civ. 9393 (AKH)

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.

RELIANCE STANDARD LIFE INSURANCE
COMPANY, et al.,

Plaintiffs,

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.

JET CAPITAL MASTER FUND, L.P., et al.,

Plaintiffs,

-against-

: 15 Civ. 307 (AKH)

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.

x

ARCHER CAPITAL MASTER FUND, L.P., et al., :
Plaintiffs, :
-against- : 16 Civ. 5471 (AKH)
: :
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
: :
Defendants. :

ATLAS MASTER FUND, LTD., et al., :
Plaintiffs, :
-against- : 15 Civ. 5475 (AKH)
: :
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
: :
Defendants. :

FIR TREE CAPITAL OPPORTUNITY MASTER :
FUND, L.P., et al., :
Plaintiffs, : 17 Civ. 4975 (AKH)
-against- :
: :
AMERICAN REALTY CAPITAL PROPERTIES, :
et al., :
: :
Defendants. :

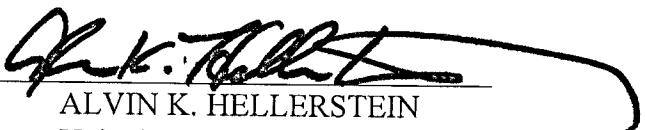
ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiffs' motion for partial summary judgment is denied with leave to refile at the close of discovery. The motion is premature in the context of the related litigation. Granting plaintiffs' motion would not fully resolve any claim, remove any defendant, or advance the

litigation in any meaningful way that plaintiffs have articulated. Identical issues are still being litigated by the class plaintiffs, and considering the motion will invite piecemeal motion practice, wasting the parties' and the Court's resources. The clerk shall terminate the motion (ECF 158).

SO ORDERED.

Dated: July 11, 2018
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge